

**PLANNING AND ZONING MEETING
TUESDAY, OCTOBER 27, 2015
CITY COUNCIL CHAMBERS**

These minutes are a summary of the meeting. For full details view online at www.casperwy.gov on the Planning Commission web page. The Planning and Zoning Commission held a meeting at 6:00 p.m., on Tuesday, October 27, 2015, in the Council Chambers, City Hall, 200 North David Street, Casper, Wyoming.

Members Present: James Holloway
Bob King
Randy Hein
Ryan Waterbury
Mary England
Don Redder
Monte Henrie

Absent Members: None

Others present: Liz Becher, Community Development Director
Craig Collins, City Planner
Aaron Kloke, Planner I
Dee Hardy, Administrative Support Technician
Wallace Trembath, Assistant City Attorney
Jason Knopp, City Engineer
Kenneth King, Fire Chief, City of Casper
Sandra Layton, 176 Valley Drive
Clark McPhearson, 2700 Garden Creek Road
Chris Hanson, 771 West 57th Street
Chris Walker, 1635 Bonnie Brae
Robbie Weinrich, 3601 East 18th Street
Stacey Weinrich-Rodgers, 225 Aster Street
Kevin Hawley, 234 South David Street

II. MINUTES OF THE PREVIOUS MEETING

Chairman Holloway asked if there were additions or corrections to the minutes of the September 22, 2015 Planning & Zoning Commission meeting.

There being none, Chairman Holloway called for a motion to approve the minutes of the September 22, 2015 Planning & Zoning Commission.

Mr. King made a motion to approve the minutes of the September 22, 2015 meeting. The motion was seconded by Mr. Redder. All those present voted aye. Minutes approved.

III. PUBLIC HEARING

Chairman Holloway recused himself and left the meeting at 6:04 p.m.

The first case this evening:

PLN-15-053-S – Planned Unit Development (PUD) site plan approval for Fire Station No. 6, on Lot 1, Paradise Valley Recreational Addition to the City of Casper, located at 185 Valley Drive. Applicant: City of Casper.

Aaron Kloke, Planner I, presented the addendum to the staff report and finds that the requested site plan, for the proposed Fire Station No. 6, meets all minimum requirements of the Casper Municipal Code; and therefore, recommends the Planning and Zoning Commission approve the site plan with the following conditions:

1. Any exterior lighting shall be designed to reduce off-site glare and light pollution. All exterior fixtures shall be full cutoff, and directed downward. Pursuant to the Casper Municipal Code, no light pole may be taller than 30 feet in height.

Mr. Kloke entered six (6) exhibits into the record.

Vice Chairman Redder opened the public hearing and asked for the person representing the case to come forward and explain the application.

Jason Knopp, City Engineer, spoke in favor of this case.

Vice Chairman Redder asked for anyone wishing to comment in favor of or opposition to this case.

Sandra Layton, 176 Valley Drive, spoke on behalf of Ruby Bolderac, and had concerns regarding increased noise.

Kenneth King, Fire Chief, City of Casper, address the noise concern, stating that this particular station has the fewest number of calls of all the Fire Stations in Casper, and they only use sirens on 20% of calls.

There being no others to speak, Vice Chairman Redder closed the public hearing and entertained a motion to approve, approve with conditions, deny, or table PLN-15-053-S, regarding the proposed Fire Station No. 6.

Mr. Henrie made a motion to approve case PLN-15-053-S, site plan for the proposed Fire Station No. 6, with Condition #1 listed in the staff report. The motion was seconded by Mr. King. All those present voted aye. Motion passed.

Chairman Holloway returned to the meeting at 6:16 p.m.

Mr. Collins stated that Ms. England had joined the meeting at 6:16 p.m.

Ms. England apologized for her lateness.

The next case this evening:

PLN-15-054-Z – Petition for a Zone Change of Lot 15, Block 96, Casper Addition, located at 224 North Lincoln Street, from C-2 (General Business) to C-3 (Central Business). Applicant: Coal Country Properties, LLC.

Aaron Kloke, Planner I, presented the staff report and noted that the requested zone change is supported by the Casper Area Comprehensive Land Use Plan and recommends that the Planning and Zoning Commission approve the request to rezone 224 North Lincoln Street from C-2 (General Business) to C-3 (Central Business), and forward a “do-pass” recommendation to the City Council.

Mr. Kloke entered five (5) exhibits into the record for this case.

Chairman Holloway opened the public hearing and asked for the person representing the case to come forward and explain the application.

Clark McPhearson, 2700 Garden Creek, spoke in favor of this case.

Chris Hanson, 771 West 57th Street, spoke in favor of this case.

Chairman Holloway asked for anyone wishing to comment in favor of or opposition to this case.

There being no one to speak, Chairman Holloway closed the public hearing and entertained a motion to approve, deny, or table PLN-15-054-Z, regarding the zone change.

Mr. King made a motion to approve case PLN-15-054-Z, regarding the zoning of the 224 North Lincoln Street to C-3 (Central Business), and forward a “do pass” recommendation to City Council. The motion was seconded by Mr. Henrie. All those present voted aye. Motion carried.

The next case this evening:

PLN-15-055-C – Petition for a Conditional Use Permit for an accessory dwelling unit, in an R-2 (One Unit Residential) zoning district, on Lots 2, 3, and 4, Block 30, Butler Heights Addition, located at 1635 Bonnie Brae Street. Applicant: Chris Walker.

Aaron Klope, Planner I, presented the staff report and if, after the public hearing, the Planning and Zoning Commission finds that the requested Conditional Use Permit meets the two (2) reasons and six (6) findings necessary for the approval of a Conditional Use Permit found in Section 17.12.240 (G) and (H) of the Casper Municipal Code, as outlined below, staff recommends that the Planning and Zoning Commission articulate its findings, and further recommends that the Planning and Zoning Commission include, at a minimum, the following three (3) recommended conditions of approval.

1. Either the principal dwelling unit or the accessory dwelling unit shall be occupied by the owner of the property, or an immediate family member of the property owner.
2. The accessory dwelling unit shall not be subdivided or otherwise segregated in ownership from the principal dwelling unit.
3. Pursuant to Section 17.12.240(I) of the Casper Municipal Code, in any case in which a Conditional Use Permit has not been exercised and the work completed within one year from the date of issuance, such permit shall be void and have no further force or effect.

Mr. Klope entered five (5) exhibits into the record for this case.

Chairman Holloway opened the public hearing and asked for the person representing the case to come forward and explain the application.

Chris Walker, 1635 Bonnie Brae, spoke in favor of this case.

Chairman Holloway asked for anyone wishing to comment in favor of or opposition to this case.

There being no one to speak, Chairman Holloway closed the public hearing and entertained a motion to approve, deny, or table PLN-15-055-C, regarding the Conditional Use Permit for an accessory dwelling unit, in an R-2 (One Unit Residential) zoning district, on Lots 2, 3, and 4, Block 30, Butler Heights Addition, located at 1635 Bonnie Brae Street.

Mr. Redder made a motion to approve case PLN-15-055-C, finding it met the two (2) reasons and six (6) findings necessary for the approval of a Conditional Use found in Section 17.12.240 (G) and (H) of the Casper Municipal Code, and with Conditions #1-3

listed in the staff report. The motion was seconded by Ms. England. All those present voted aye. Motion carried.

The last case this evening:

PLN-15-056-C – Petition for a Conditional Use Permit for a “Family Child Care Center – Zoning Review” to allow a home-based, child care facility for up to 15 children, on Lot 127, Country Club Estates, located at 3601 East 18th Street. Applicant: Nathan W. Faulkner, Robbie Weinrich, and Stacey Weinrich-Rogers.

Aaron Klope, Planner I, presented the staff report and if, after the public hearing, the Planning and Zoning Commission finds that the requested Conditional Use Permit meets the two (2) reasons and six (6) findings necessary for the approval of a Conditional Use Permit found in Section 17.12.240 (G) and (H) of the Casper Municipal Code, as outlined below, staff recommends that the Planning and Zoning Commission articulate its findings, and further recommends that the Planning and Zoning Commission include, at a minimum, the following four (4) recommended conditions of approval.

1. The applicants shall maintain a minimum of two (2) open off-street parking spaces in the driveway for use by daycare customers during the hours when the daycare is in operation.
2. Pursuant to Section 17.12.140(A)(2) of the Municipal Code, signage for all “home occupations” shall be limited to only signage that is non-illuminated, attached flush with the dwelling, and not exceeding one square foot in area.
3. The Family Child Care Center is approved as a secondary, accessory use of the property. The primary use of the property shall remain single-family residential, which is a permitted use in the R-1 (Residential Estate) zoning district. Therefore, the operator of the Family Child Care Center must live at the subject property. If the operator of the Family Child Care Center is found not to be residing on the premises, the Conditional Use Permit may be immediately revoked by the City, pursuant to Section 17.12.240(J) of the Casper Municipal Code.
4. Pursuant to Section 17.12.240(M)(3) of the Casper Municipal Code, the Conditional Use Permit shall be granted to the child care provider, and shall not attach to the land. The Conditional Use Permit shall not be transferred from one location to another, and shall not be transferable from one child care provider to another.

Mr. Klope entered eight (8) exhibits into the record for this case.

Chairman Holloway opened the public hearing and asked for the person representing the case to come forward and explain the application.

Robbie Weinrich, 3601 East 18th Street, spoke in favor of this case.

Stacey Weinrich-Rodgers, 225 Aster Street, spoke in favor of this case. The applicant's provided twelve (12) photos as exhibits.

Mr. Kloke entered the twelve (12) photos provided by the applicant as exhibit "I."

Chairman Holloway asked for anyone wishing to comment in favor of or opposition to this case.

There being no one to speak, Chairman Holloway closed the public hearing and entertained a motion to approve, deny, or table PLN-15-055-C, regarding the Conditional Use Permit to allow a home-based, child care facility for up to 15 children, on Lot 127, Country Club Estates, located at 3601 East 18th Street.

Ms. England made a motion to approve case PLN-15-055-C, finding it met the two (2) reasons and six (6) findings necessary for the approval of a Conditional Use found in Section 17.12.240 (G) and (H) of the Casper Municipal Code, and with Conditions #1-4 listed in the staff report. The motion was seconded by Mr. Hein. All those present voted aye. Motion carried.

COUNCIL ACTIONS:

There were none.

V. SPECIAL ISSUES:

Review of the Downtown Plaza Plan of Development.

Mr. Kloke provided the staff report.

Chairman Holloway disclosed that he had been contacted by Kevin Hawley, Executive Director of the Downtown Development Authority, by e-mail asking to discuss this plan, and he replied, via e-mail, that it would be inappropriate to discuss it outside of the October 27, 2015, Planning and Zoning Commission meeting.

Kevin Hawley, 234 South David Street, Executive Director of the Downtown Development Authority, explained that the plan would bridge the present downtown area and the Old Yellowstone District. He advised that implementing this plan requires the Planning and Zoning Commission's review and recommendation, a Council Work Session, and finally approval at a City Council meeting.

There was discussion on:

- Parking for the proposed area;
- Size of the Plaza;
- The Performing Arts Center, and its nearby location;
- Increased number of people living in the downtown area; and
- The project, plaza, being good addition to the City.

There being no further discussion. Chairman Holloway entertained a motion to acknowledge that they reviewed the plan or acknowledge they reviewed the plan with recommendations which shall be forwarded to the City Council.

Mr. King made a motion that the Planning and Zoning Commission acknowledge that they had reviewed the plan and forward it to Council for consideration. Mr. Henrie seconded the motion. All those present voted aye. Motion carried.

VI. COMMUNICATIONS:

A. Commission:

Mr. Henrie stated that the OYD (Old Yellowstone District) Fall Festival will be held Thursday, October 29, 2015, from 5:00 – 7:00 p.m., at the Old Yellowstone Garage.

Mr. King reported that he had attended a workshop in Lander put on by the Community Mobility Institute, and attended by City Staff, and other folks from the community. Mr. Klope added that it was a successful workshop that included hands on exercises.

B. Community Development Director:

Liz Becher, Community Development Director advised that a Developer Forum coffee talk will be held Thursday, October 28, 2015, 7:00 a.m., Council Chambers, where there will be a discussion with Rocky Mountain Power. She advised that it was the time of year to discuss whether Commissioners with expiring terms were going to submit a letter for reappointment and those Commissioners returning in 2016 to discuss what day of the week they would like to hold the Planning and Zoning meeting. After some discussion it was decided to hold the meetings on the third (3rd) Thursday of each month. She informed the Commission that City Council would conduct interviews in the month of November.

Ms. England suggested that a fellow Commissioner, Director of Community Development, and City Planner sit in on the interviews.

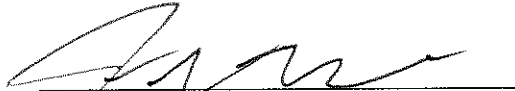
B. Other Communications:

There were none.

- C. Council Liaison:
There were none.

VII. ADJOURNMENT

Chairman Holloway called for a motion for the adjournment of the meeting. A motion was made by Mr. Hein and seconded by Mr. Redder to adjourn the meeting. All present voted aye. Motion carried. The meeting was adjourned at 7:35 p.m.


Chairman


Secretary